

ORIGINAL
(Rev. 5/05)

**FORM TO BE USED BY A PRISONER IN FILING A COMPLAINT
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. §1983**

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

(1) Kevin Dixon 154239
(Name of Plaintiff) (Inmate Number)

Delaware Correctional Center
1681 Paddock Road
Smayama, DE 19977
(Complete Address with zip code)

(2) _____
(Name of Plaintiff) (Inmate Number)

(Complete Address with zip code)

(Each named party must be listed, and all names
must be printed or typed. Use additional sheets if needed)

vs.

(1) Commissioner Stanley Taylor

(2) Warden Thomas Carroll

(3) Captain Janet Henry
(Names of Defendants)

(4) J. Jackson

(Each named party must be listed, and all names
must be printed or typed. Use additional sheets if needed)

05 - 756

(Case Number)
(to be assigned by U.S. District Court)

CIVIL COMPLAINT

• • Jury Trial Requested

I. PREVIOUS LAWSUITS

A. If you have filed any other lawsuits in federal court while a prisoner, please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:

NONE



II. EXHAUSTION OF ADMINISTRATIVE REMEDIES

In order to proceed in federal court, you must fully exhaust any available administrative remedies as to each ground on which you request action.

- A. Is there a prisoner grievance procedure available at your present institution? ☒ Yes ••No
- B. Have you fully exhausted your available administrative remedies regarding each of your present claims? ☒ Yes ••No
- C. If your answer to "B" is Yes:

1. What steps did you take? Classification/Disciplinary Actions not
Subjected to grievance Procedure, Written Commissioner Taylor
and Warden Thomas Carroll
2. What was the result? I did not receive any response, only
from Security Chief which Attached.

- D. If your answer to "B" is No, explain why not: _____

III. DEFENDANTS (in order listed on the caption)

- (1) Name of first defendant: Stanley Taylor
- Employed as Commissioner at Department of Correction
- Mailing address with zip code: 245 McKee Road
Dover, Delaware 19904

- (2) Name of second defendant: Thomas Carroll
- Employed as Warden at Delaware Correctional Center
- Mailing address with zip code: 1181 Paddock Road
Smyrna, De. 19977

- (3) Name of third defendant: Janet Henry
- Employed as Captain at Delaware Correctional Center
- Mailing address with zip code: 1181 Paddock Road
Smyrna, Delaware 19977

(List any additional defendants, their employment, and addresses with zip codes, on extra sheets if necessary)

4. J. JACKSON

2

Chairman Institution Classification Committee
 Delaware Correctional Center
 1181 Paddock Road
 Smyrna, Delaware 19977

IV. STATEMENT OF CLAIM

(State as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach no more than three extra sheets of paper if necessary.)

1. During early part of June 2005 supposed to be involved with some type altercation with another inmate. We were both moved from intimacy unit to special needs unit myself to building 21 per order of Capt. Jane Henry. We have never been cited for any rule infractions yet I have been locked in room 195 hours per week only permitted exercise 3 hours per week. I have history of mental illness and this unit not were individual with my problems. I have written disciplinary of Capt. J. Williams requesting hearing and representation. Never received response. I have written each of the defendant, each ignored answering. Defendant Jackson stated placed in this unit based on altercation in June 2005. I have never been provided anything in writing concerning any type altercation nor provided any type hearing. I've had to have inmate assist with this matter, due to educational and mental history issues. Individual alleged to be involved with moved back to intimacy. Since being locked in this unit, which not mental health only received psychiatric medications treating me in positive manner, violation of equal protection due process and could not receive punishment. There are no available program in fact multi-disciplinary team (MDT) of this building recommended to defendants be removed from this building the other defendant ignored the MDT and my personal communications. There is not any valid or documented reason for this treatment. Could not secure any assistance from law library, only will send cases to building if name known.
- 2.
- 3.

V. RELIEF

(State briefly exactly what you want the Court to do for you. Make no legal arguments. Cite no cases or statutes.)

1. Immediately moved from Building 21 to either security level accorded by Department. Solvent Classification. Security level on special needs unit. Counsel be assigned. Complaint filed by another inmate law library would not assist and cannot prepare myself.

2. Restoring Order/Temporary Injunctive to housing inmates with history of mental problems. In either Security Housing Units (SHU) or Multi Housing units (MHU), Prior Approval of Psychiatric.
3. Punitive Damages in amount of \$25.00 per day For each day housed in Building 21 From each defendant. Special damage in Amount of \$10,000 and other Relief Court deem proper and just.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this Oct day of 23rd, 2005.

Kevin D. Dwyer Jr.
(Signature of Plaintiff 1)

(Signature of Plaintiff 2)

(Signature of Plaintiff 3)

IM Kevin Dixon
SBI# 154739 UNIT 31C
DELAWARE CORRECTIONAL CENTER
1181 PADDOCK ROAD
SMYRNA, DELAWARE 19977



Clerk of the Court
United States District Court
J. Caleb Rogers Federal Building
844 Kirk Street
Wilmington, DE
19801